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MAY 22 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

May 21, 1996

The Honorable Phil Gramm
2323 Bryan Street, #1500
Dallas, Texas 75201

Attention: Brett Brewer

Dear Senator Gramm:

Thank you for your letter on behalf of Lyle H. Dresher, City Manager of Keller, Texas. Mr. Dresher is concerned about preemption of local zoning regulation of satellite earth stations.

The FCC's revised zoning preemption rule was adopted on February 29, 1996, in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. It was also intended to implement the Telecommunications Act of 1996, which requires the Commission to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

The Commission adopted an approach that balanced the interests of consumers and the concerns of local authorities. It presumptively prohibits zoning regulation of smaller satellite dishes, but allows local authorities to rebut that presumption in appropriate cases. It also provides for waivers of the rule in unusual cases.

Thank you for your interest in this matter. Please let me know if we can provide further information.

Best wishes.

Sincerely yours,

Donald H. Gips
Bureau Chief

(202)418-0420

(202)418-2818 (fax)



INTERNATIONAL BUREAU

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May 21, 1996

The Honorable Phil Gramm
United States Senate
2323 Bryan Street, #1500
Dallas, Texas 75201

EX PARTE OR LATE FILED

Attention: Brett Brewer

Dear Senator Gramm:

Thank you for your letter on behalf of Kenneth Valach of Trammell Crow Residential. Mr. Valach is concerned that local zoning preemption relating to satellite earth stations will adversely affect the conduct of his business.

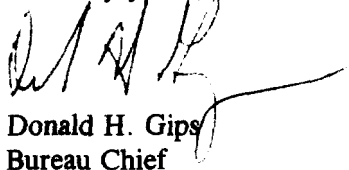
The FCC's preemption rule was adopted on February 29, 1996, in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. The Telecommunications Act of 1996 specifically states that the Commission shall publish regulations to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

The Commission adopted an approach that balanced the interests of consumers and the concerns of local authorities. It presumptively prohibits zoning regulation of smaller satellite dishes, but allows local authorities to rebut that presumption in appropriate cases. It also provides for waivers of the rule in unusual cases, which would include issues of safety.

Thank you for your interest in this matter. Please let me know if we can provide further information.

Best wishes.

Sincerely yours,



Donald H. Gips
Bureau Chief

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

May 21, 1996

The Honorable Bill Bradley
United States Senate
731 Hart Senate Office Building
Washington, D.C. 20510-3001

EX-107-OR LATE FILED

Attention: Mark Schmitt

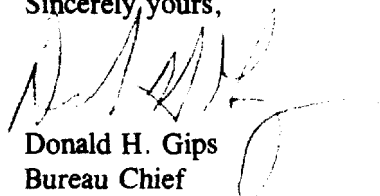
Dear Senator Bradley:

Thank you for your letter on behalf of William Dressel, Executive Director of the new Jersey State League of Municipalities. Mr. Dressel is concerned about the FCC's implementation of Section 207 of the Telecommunications Act of 1996.

The FCC's preemption rule was adopted on February 29, 1996, in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. The Telecommunications Act of 1996 specifically states that the Commission shall publish regulations to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

The Commission adopted an approach that balanced the interests of consumers and the concerns of local authorities. It presumptively prohibits zoning regulation of smaller satellite dishes, but allows local authorities to rebut that presumption in appropriate cases. As Mr. Dressel mentions, it does provides for waivers of the rule in unusual cases.

Sincerely yours,


Donald H. Gips
Bureau Chief

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

May 21, 1996

The Honorable Frank Wolf
U. S. House of Representatives
241 Cannon House Office Building
Washington, DC 20515-4610

EX PARTE OR LATE FILED

Attention: Buzz Hawley

Dear Congressman Wolf:

Thank you for your letter on behalf of Vincent Dambraskas, President of the Board of Trustees of the Virginia Run Community Association. Mr. Dambraskas is concerned about the preemption of local zoning regulation of satellite earth stations.

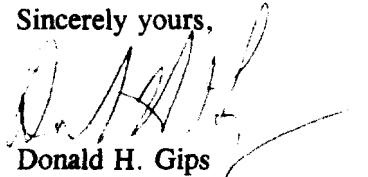
The FCC's revised zoning preemption rule was adopted on February 29, 1996, in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. It was also intended to implement the Telecommunications Act of 1996, which requires the Commission to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

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May 21, 1996

The Honorable Ed Bryant
U.S. House of Representatives
5909 Shelby Oaks Drive
Suite 213
Memphis, Tennessee 38134

EX PARTE OR LATE FILED

Attention: Steve Summerall

Dear Congressman Bryant:

Thank you for your letter on behalf of your constituent, Sharon Goldsworthy, Major of Germantown, Tennessee. Ms. Goldsworthy is dissatisfied over the preemption of local zoning regulation of satellite earth stations. Ms. Goldsworthy feels that Congress did not intend for the FCC to implement the Telecommunications Act of 1996 as a defacto national land zoning authority.

The FCC's revised zoning preemption rule was adopted on February 29, 1996, in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. It was also intended to implement the Telecommunications Act of 1996, which requires the Commission to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

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FEDERAL COMMUNICATIONS COMMISSION
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May 21, 1996

The Honorable Sam Johnson
U.S. House of Representatives
1030 Longworth House Office Building
Washington, D.C. 20515-43032210

EX PARTE OR LATE FILED

Dear Congressman Johnson:

Thank you for your letter on behalf of your constituent, Allan Zidell of Zidell Properties and Construction. Mr. Zidell is concerned that preemption of local zoning regulation of satellite earth stations will have an adverse impact on the conduct of his business.

The FCC's revised zoning preemption rule was adopted on February 29, 1996, in part to respond to the fact that some local jurisdictions were enforcing restrictive and unreasonable zoning laws with respect to satellite-delivered services. It was also intended to implement the Telecommunications Act of 1996, which requires the Commission to prohibit restrictions "that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services".

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OFFICE OF SECRETARY

The Honorable Craig Thomas
United States Senate
302 Hart Senate Office Building
Washington, DC 20510-5003

Dear Senator Thomas:

Thank you for your letter on behalf of Carl Classen, Executive Director of the Wyoming Association of Municipalities. Mr. Classen is concerned about preemption of local zoning regulation of satellite earth stations.

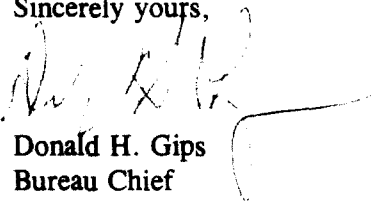
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EX PARTE OR LATE FILED

The Honorable Dan Miller
U.S. House of Representatives
2424 Manatee Avenue West
Bradenton, Florida 34205

Attention: Laura Griffin

Dear Congressman Miller:

Thank you for your letter on behalf of your constituent, Robert Duda, President, Candlewood Homeowners' Association. Mr. Duda is interested in the effect the preemption of local zoning regulation of satellite earth stations will have in his deed restricted community.

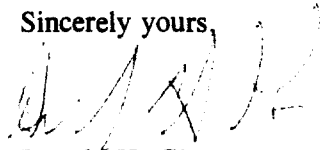
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